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Filing date: **01/13/2017**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91226866
Party	Plaintiff PepsiCo, Inc.
Correspondence Address	ADAM S WEISS POL SINELLI PC 161 N CLARK STREET, SUITE 4200 CHICAGO, IL 60601-3316 UNITED STATES uspt@polsinelli.com, docketing@polsinelli.com, aweiss@polsinelli.com, scason@polsinelli.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Adam S. Weiss
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Signature	/Adam S. Weiss/
Date	01/13/2017
Attachments	OFFICIAL SNACK -- Motion to Suspend.pdf(42525 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Serial Number: 86/641,232

Mark: OFFICIAL SNACK OF FOOTBALL

PepsiCo, Inc.)	
)	
Opposer,)	
)	
vs.)	Opposition No. 91226866
)	
Kellogg North America Company)	
)	
Applicant.)	

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. PepsiCo, Inc. requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts. The parties have held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2). The parties desire to suspend all deadlines, including the opening of discovery and the deadline for initial disclosures, resulting in the following revised schedule.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	03/15/2017
Initial Disclosures Due :	04/14/2017
Expert Disclosures Due :	08/12/2017
Discovery Period to Close :	09/11/2017
Plaintiff Pretrial Disclosures :	10/26/2017
Plaintiff's 30-day Trial Period Ends :	12/10/2017
Defendant's Pretrial Disclosures :	12/25/2017
Defendant's 30-day Trial Period ends :	02/08/2018
Plaintiff's Rebuttal Disclosures :	02/23/2018
Plaintiff's 15-day Rebuttal Period Ends :	03/25/2018

Briefs will be filed thereafter in accordance with Rule 2.128. PepsiCo, Inc. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

WHEREFORE, Opposer respectfully requests that the Board enter an order suspending the proceedings for 60 days in accordance with the deadlines provided above.

Respectfully submitted,

PepsiCo, Inc.

Dated: January 13, 2017

By: /s/ Adam S. Weiss

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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, on the 13th day of January, 2017, by sending a copy via U.S. First Class Mail, postage pre-paid, to the following address:

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Applicant's Counsel of Record

/s/ Adam S. Weiss
Adam S. Weiss

Certificate of ESTTA Filing

I hereby certify that a copy of the foregoing paper was filed electronically with the Trademark Trial and Appeal Board via ESTTA on the 13th day of January, 2017.

/s/ Adam S. Weiss
Adam S. Weiss